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Attorneys for Plaintiffs,  
JOSEPH PADGETT and  
DARLA PADGETT

UNITED STATES DISTRICT COURT  
NORTHERN DISTRICT OF CALIFORNIA,  
SAN JOSE DIVISION

JOSEPH PADGETT and DARLA  
PADGETT,

Plaintiffs,

v.

CITY OF MONTE SERENO, a municipal  
entity; BRIAN LOVENTHAL, an  
individual; A. CURTIS WRIGHT, an  
individual; ERIN BRODSKY, an individual;  
BARBARA NESBET, an individual;  
DAVID BAXTER, an individual; and DOES  
1 to 100 inclusive,

Defendants.

CASE NO. C-04-03946 JW (RS)

**~~PROPOSED~~ ORDER GRANTING  
PLAINTIFF'S EX-PARTE MOTION  
FOR AN ORDER CHANGING TIME**

Date:  
Time:  
Ct rm: 4 (5th Floor)  
Judge: The Hon. Richard Seeborg

The ex-parte motion of plaintiff, Darla Padgett, for an order shortening time for the parties to brief and the Court to hear plaintiff's motion for a protective order re subpoenaed employment records from her employer, Bank of America, was presented to this Court pursuant to Civ. L.R. 6-1(b) and 6-3(a). Based on all papers filed to date, satisfactory proof having been received and good cause appearing therefore:

1  
2 IT IS HEREBY ORDERED THAT PLAINTIFF'S MOTION TO SHORTEN TIME TO  
3 BRIEF AND HEAR A MOTION FOR PROTECTIVE ORDER IS GRANTED, AND THE  
4 FOLLOWING SCHEDULE IS ORDERED:  
5

6 Hearing on Plaintiff's Motion: December 21, 2005, at 9:30 a.m.<sup>1</sup>

7 Reply Papers, due to be served  
8 and filed no later than: December 19, 2005

9 Opposition Papers, due to be  
10 served and filed no later than: December 15, 2005

11 Moving papers, due to be  
12 served and filed no later than: December 8, 2005

13 IT IS FURTHER ORDERED THAT the Bank of America's obligation to respond to the  
14 subpoena issued by defendant City of Monte Sereno seeking Ms. Padgett's employment records  
15 dated November 10, 2005, is stayed until the Court has issued an order on Ms. Padgett's motion  
16 for protective order re same.

17 DATED: 12/2/05 \_\_\_\_\_

/s/ Richard Seeborg

18 THE HON. RICHARD SEEBORG  
19 United States Magistrate Judge  
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28 <sup>1</sup> It being the case that the parties are already set for hearing on defendant's motion for a  
protective order before this Court at that time, and thus are presumably available.